

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Diana Olson, on behalf of herself and her children as heirs at law of Richard Olson, deceased; and Diana Olson as Personal Representative of the Estate of Richard Olson.

Plaintiff,

vs.

Ford Motor Company, a Corporation,)

Defendant.

**ORDER DENYING PLAINTIFF'S
MOTION IN LIMINE NO. 6
TO PERMIT PLAINTIFF TO
EXHIBIT THE ACCIDENT VEHICLE
TO THE JURY**

Case No. 4:04-cv-102

Before the Court is the “Plaintiff’s Motion in Limine No. 6 to Permit Plaintiff to Exhibit the Accident Vehicle to the Jury,” filed on January 6, 2006. The plaintiff requests an order allowing her to display the Olson Ford Explorer to the jury during her case-in-chief. The plaintiff proposes to make arrangement to have the vehicle transported on a flat-bed truck to a location in close proximity to the courthouse, in other that the jury may observe the condition of the vehicle and certain of its component parts. Defendant Ford Motor Company joins in the motion, but notes that a second viewing may be needed after Ford’s experts have testified.¹

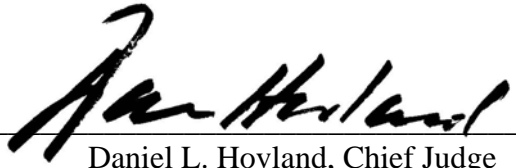
The Court finds that permitting the jury to view the Ford Explorer is not necessary in this case. The condition of the vehicle can be adequately conveyed to the jury through the use of photographs, diagrams, and/or videotape. Allowing the vehicle to be viewed by the jury would be a time-consuming disruption of the trial. See Fed. R. Evid. 403 (“evidence may excluded if its

¹Within the same pleading as its response, Ford included a “Motion to Exclude Plaintiff’s Undisclosed Opinion and Argument Concerning the Vehicle’s Seat.” See Docket Nos. 117 & 118. The Court will rule on Ford’s motion in a separate order once Olson has had an opportunity to respond.

probative value is substantially outweighed by considerations of undue delay, waste of time, or needless presentation of cumulative evidence”). As a result, the Court finds that allowing the jury to view the Ford Explorer is unnecessary and unwarranted. The Court **DENIES** the Plaintiff’s Motion in Limine No. 6. (Docket No. 90).

IT IS SO ORDERED.

Dated this 24th day of January, 2006.



Daniel L. Hovland, Chief Judge
United States District Court